

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIFFANY ROBINSON,

Defendant.

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO
OCT 28 2021
MITCHELL R. ELFERS
CLERK
No. CR 21-0668 JB

ORDER

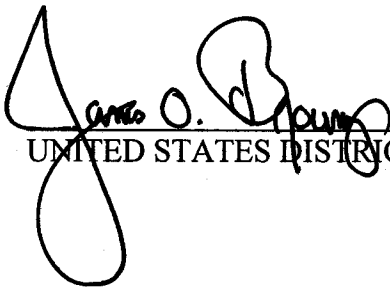
This matter is before the Court on Defendant's Unopposed Motion to Continue. There being good cause shown by the Defendant and there being no objection by the government, the Court finds the motion is well taken and should be granted.

IT IS HEREBY ORDERED that the jury trial in this matter currently scheduled for November 1, 2021 is continued and will be rescheduled for January 31, 2022.

Additionally, the Court finds that a continuance is necessary to provide the defense additional time to review discovery, pursue an investigation, and otherwise prepare for trial. A continuance will also permit the parties time to pursue plea negotiations. If a resolution is not reached, then additional time will be necessary to prepare pretrial motions, motions in limine and prepare for trial.

The court finds that the ends of justice will be served by granting this extension of time in which to file motions and a continuance of the trial. *See United States v. Hernandez-Mejia*, 406 Fed. App'x. 330, 338 (10th Cir. 2011) ("The Speedy Trial Act was intended not only to protect the interests of defendants, but was also 'designed with the public interest firmly in mind.'") (quoting *United States v. Toombs*, 574 F.3d 1262, 1273 (10th Cir. 2009). Additional time will allow Ms.


Robinson to further conduct an investigation into the charges in this case, to prepare and file pretrial motions, and to adequately prepare for trial. Additionally, a continuance will provide the parties time to discuss a possible negotiated resolution of this matter. Such a negotiated resolution would conserve judicial and prosecutorial resources and could also materially benefit Ms. Robinson by providing him access to a more favorable resolution of this matter. This motion is not predicated upon the congestion of the Court's docket. *See United States v. Hernandez-Mejia*, 406 Fed. App'x. 330, 338 (10th Cir. 2011) ("The speedy Trial Act was intended not only to protect the interests of defendants, but was also 'designed with the public interest in mind.'" (quoting *United States v. Toombs*, 574 F.3d 1262, 1273 (10th Cir. 2009)).


UNITED STATES DISTRICT JUDGE

Submitted By:

/s/ Joe M. Romero, Jr.
Joe M. Romero, Jr.
Attorney for Defendant

After weighing the best interest of the public and of the Defendant with the ends of justice, the Court finds that granting a continuance will strike a proper balance between the ends of justice and the best interests of the public and of the Defendant for the reasons stated in the motion requesting a continuance, filed October 27, 2021 (Doc. 35). Specifically, the Defendant's need to continue plea negotiations, if none is reached, time to prepare for trial, and file pretrial motions, outweighs the Defendant's and the public's interest in a speedy trial. See 18 U.S.C. Section 3161(h)(7). The pretrial motion deadline is January 10, 2022. The Court will set the trial for January 31, 2022 at 9:00 a.m. (trailing docket). This 90- day continuance is sufficient without being greater than necessary, for the defendant to complete the tasks set forth in the motion to continue.


10/28/21